

CHAPTER 18.49

RECREATIONAL VEHICLE PARKS

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18.49.010 Purpose.

The purpose of this section is to permit parks for occupancy by travel trailers and recreational vehicles which will be compatible with adjacent land uses, provide a suitable environment for travelers and other occupants of the parks and conform to state law. The city council of the city of Morgan Hill specifically finds that:

A. This purpose statement is met by a suitable mix of short-term spaces serving visitors staying thirty days or less at a time and no more than ninety days in any consecutive three hundred sixty-five day period and for transitional spaces with stays of two hundred and forty-four days or less in any consecutive three hundred sixty-five day period because of the balance of land uses, transportation corridors and public facilities provided by the General Plan. Long-term or permanent residents at such parks shall only occupy spaces for which a residential

allocation under Section 18.78.020 et seq., the residential development control system, has been allocated and for which the other standards of the municipal code are met.

B. Because of the rural residential nature and environment of the city of Morgan Hill, parks should have a lower density and more open space and amenities than similar parks in more urban areas of Santa Clara County would include. (Ord 1233 N.S. § 9, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.020 Tag of certification.

Each travel trailer or recreational vehicle or coach which stays for more than thirty continuous days in any city park shall have a tag of certification, either from the California Department of Housing and Community Development under Section 4032, Title 25, Division 1, Chapter 3 of the California Code of Regulations ("state insignia"), or an equivalent tag of certification from another State or Canadian province, or a tag of certification from the Recreational Vehicle Industry Association (RVIA) or a tag of certification from a third party certification company recognized by the city as being substantially equivalent. The director of community development of the city shall have final authority to determine whether a particular vehicle has a tag of certification. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.030 Conditional use permit.

A. Prior to applying for a building permit for construction of a park, a property owner shall apply for and receive a conditional use permit as defined in Section 18.54.010 et seq. The conditional use permit may include design requirements and other conditions of approval. A park may only be approved in a zone which permits such park by conditional use permit under this chapter. Approval of the design by the community development department is also required.

B. Under Section 18.04.381 of the municipal code, stays of longer than two hundred forty four days per consecutive three hundred sixty-five day period are prohibited. However, in the event that adjudication or interpretation of Section 24400.5 of the California Health and Safety Code or other state law requires the city to consider longer stays, such longer stays ("long term spaces") shall be allowed only by conditional use permit and upon an allocation of residential development approval as provided in Sections 18.49.040 and 18.78.020 of this code. Such long term spaces must meet the minimum standards, including lot area and dimensions, prescribed by Sections 18.49.060 and 18.49.100(D) and other sections of this title. (Ord. 1233 N.S. § 10, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.040 Space occupancy.

In conformity with Section 2202, Title 25, Article 3 of the California Code of Regulations, a travel trailer or recreational vehicle park shall accommodate only travel trailers and recreational vehicles. Occupancy of a space is limited to one recreational vehicle and one motor vehicle. No permanent buildings shall be constructed on such spaces.

A. For a space which may be occupied by one resident or family or vehicle for over two hundred forty-four days in any consecutive three hundred sixty-five day period, which stay is not separated from any other stay by that resident or family or vehicle, that space shall be counted as a residence for purposes of Section 18.78.020 et seq., the residential development control system. No conditional use permit shall be approved for such space or spaces until an allocation of residential units equal to the number of such long term spaces is granted by the city under Section 18.78.125. No such long-term spaces shall be established in any park after issuance of a conditional use permit under this section unless a new conditional use permit is first approved by the city, regulating the use and number of long-term spaces.

B. Occupancy in any park of one space or more than one space which has been designated by Conditional Use Permit as a transitional space or spaces shall not be in excess of two hundred forty-four days in any consecutive three hundred sixty-five day period by a single resident or family in any recreational vehicle. Occupancy in conflict with this Section, shall constitute grounds for rescission of the conditional use permit to occupy the park and, separately, shall be a violation enforceable under Sections 18.68.020 and 18.68.030 of the municipal code.

1. The city council specifically makes the finding, pursuant to Section 24400.5.a. of the California Health and Safety Code, that any space, set of spaces or park limited by conditional use permit to occupancy of two hundred forty-four days or fewer days per consecutive three hundred sixty-five day period is needed to serve the short term visitors and transitional occupants in Morgan Hill, pursuant to Section 24400 et seq. of the Health and Safety Code, and that conversion of such space, set of spaces or park to longer term occupancy may only occur after approval of an amendment to an approved conditional use permit.

2. The city council further specifically makes the finding, pursuant to Section 24400.5.a of the California Health and Safety Code, that the need to prohibit long-term occupancy of spaces in any park beyond the two hundred forty-four day limit in any consecutive three hundred sixty-five day period is "based on, but not limited to, the lack of overnight or tourist spaces in those special occupancy parks in the city". This restriction is not limited to that finding, but rather is also based upon a finding of the inherent and substantial harm done to the community by establishment of substandard housing at high density in motor vehicles or small trailers, for which no schools or parks have been planned, which does not meet general plan, zoning ordinance or mobile home park standards for such housing, and which could be a

nuisance and threat to public health, safety and welfare unless specifically permitted by a discretionary conditional use permit and residential allocation under Section 18.78.010 et seq. of this chapter, and by providing where applicable in mixed-use parks, partial exemptions as set forth in Section 18.300.5 of the California Health and Safety Code or by imposing conditions pursuant to subsection (c) of that section, together with the standards set forth in this code for such parks, which may mitigate the nuisances and threats from such a project. (Ord. 1233 N.S. § 11, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.050 Park size.

A park under this Section shall consist of at least a net area of five acres and no more than twenty acres in size. Such park shall have at least one hundred feet of frontage upon a city street or highway for access. At least two thousand gross square feet of area, including common areas and roadways, shall be provided per recreational vehicle space in the park. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.060 Minimum space size.

A space in a park shall be at least one thousand square feet in size with a minimum frontage on an internal park road of twenty feet and a minimum depth of forty feet. For any space for which long-term occupancy, beyond two hundred forty-four days per consecutive three hundred sixty-five day period, is granted by conditional use permit the dimensions of such a space must be double the dimensions previously mentioned, or at least twenty-five percent of the dimensions of the minimum lot size of the zoning district, whichever is greater. (Ord. 1233 N.S. § 12, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.070 Minimum roadway size.

An internal roadway in a park shall be at least twenty-eight feet in clear width. An entry roadway shall be at least thirty-two feet in clear width or sixteen feet for one-way traffic originating and terminating in a two-way roadway. Such roadway shall be paved to a thickness and material to meet City standards. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.080 Setbacks.

Each park and each vehicle parked in a space, including all awnings and appurtenant structures and tents, shall meet as a minimum the setbacks of the zoning district in which it is located with regard to exterior boundaries of the park. Setbacks within the park shall be at least ten feet between parked vehicles, including any awnings, tents or substructures, and any other parked vehicles, other than other vehicles parked in the same space; and buildings or roadways. The main entrance of a park shall have an additional ten feet of landscaped setback above the minimum front setback of the zoning district. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.090 Permanent buildings.

A park may contain one or more permanent buildings solely to serve residents of the park. Such buildings shall meet the setbacks and other requirements of the zoning district and special setbacks of the conditional use permit and this chapter. In no event shall permanent buildings cover over fifteen percent of a park. Such buildings shall be used only for the following purposes:

- A. Park administration and office;
- B. Recreational amenities and meeting areas;
- C. Sales of packaged food, sundries and other convenience items customarily sold by convenience stores;
- D. Storage of park equipment, excluding commercial storage for nonresidents of the park;
- E. Other subordinate uses as described in the conditional use permit which are necessary and customary in order to operate such a park. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.100 Amenities.

A recreational vehicle park shall provide amenities in proportion to the area of the park, as described below:

- A. Restroom Buildings Including Separate Toilets for Men and Women, with Showers. One for the first fifty spaces, then an additional building for the next one hundred, fifty spaces, then one for each additional one hundred spaces;
- B. Solid Waste Stations. In addition to connecting each space to sewer, one solid waste station shall be provided for each two hundred spaces or fraction thereof;
- C. Recreation Centers with Swimming Pools, Picnic Facilities and Other Play Areas. One for each two hundred spaces or fraction thereof. The first recreation center would contain a

swimming pool. Other play areas may include an athletic field, picnic shelter, horseshoe pits, volleyball court, shuffleboard court, tennis court, additional swimming pools or similar facilities;

D. For each space in a park for which a conditional use permit allows a stay of over two hundred forty-four days per consecutive three hundred sixty-five day period, additional amenities will be required, including at least two thousand square feet of additional common open space landscaped and improved for playground use and in a sufficiently large area to accommodate ball field activities. (Ord. 1233 N.S. § 13, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.110 Landscaping.

All required front setbacks and other entrances shall be landscaped to City standards and requirements.

a. At least ten percent of any vehicle space and at least twenty percent of the park as a whole shall be landscaped to city standards. The required amenities listed in Section 18.49.100, including recreational buildings and pools, may be counted within this landscaping requirement. Each park shall have at least one area at least fifty by one hundred feet in dimensions as a unified landscaped area visible from inside the park.

b. At least one evergreen tree shall be planted and maintained on each vehicle space. Each vehicle space shall have at least two hundred square feet of landscaping to city standards. No more than seventy percent of the space shall be nonpermeable (paved) area. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.120 Sewer

Each vehicle space shall be connected to a sewer lateral meeting city standards which is connected to the master sewer system of the park. Such master sewer system in a park shall be connected to the city sewer system. No septic tank connections will be permitted for any vehicle space or park. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.130 Water.

Each vehicle space shall be connected to a water lateral meeting city standards which is connected to the master water system of the park, providing potable, safe and sanitary water. Such master water system in a park shall be connected to the city water system. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.140 Pets.

Each vehicle space shall be treated as a residence for purposes of city regulations regarding the number of pets, leash laws and related pet regulations. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.150 Perimeter screening.

Each park shall have a perimeter fence or wall built to city standards at least six feet high, except that at front entries of a park, the landscaped setback area need not have a fence or wall if individual recreational vehicle spaces are not visible through such setback area from an adjacent public roadway. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.160 Accessory buildings and awnings.

Any recreational vehicle or travel trailer in a park may have accessory buildings and awnings as listed in this section, with the permission of the park management, as long as park setbacks are met and the conditions of the conditional use permit are met and any requirement for a building permit from the city has been fulfilled:

A. Accessory Buildings. One factory-enamel-coated metal shed per vehicle space, not to exceed fifty square feet in area which is portable and not permanently affixed to the ground. Permitted use of such shed may include storage of the personal effects of the occupant or shelter for a pet;

B. Awnings. One canvas, fiberglass or factory-enamel-coated metal awning per vehicle space, which may be freestanding or attached to the vehicle, which does not exceed in height, length or width of the height, length or width of the vehicle to which it is adjacent and which is portable and not permanently affixed to the ground;

C. All accessory buildings and awnings on vehicle spaces shall be the properties of the occupants of the space and shall not remain on the space after the occupants have vacated the space; nor shall the park owner own or maintain such accessory buildings or awnings on spaces. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.170 Signs.

A park may have identification, directory and directional signs as permitted by Section 18.76.010 et seq. for uses in the zoning district and land use type in which the park is approved, subject to the conditional use permit for the park. (Ord. 1100 N.S. § 1 (part), 1992)

18.49.180 Fees.

The owners of a park which is established pursuant to a conditional use permit shall pay any fees prescribed by ordinance or operation of law. The owners of a park in which stays of longer than two hundred and forty-four days in any consecutive three hundred sixty-five day period are permitted ("long term spaces") shall also pay school fees, park fees and other fees which are charged by ordinance for residences. Fees such as school fees and city fees may be required for transitional spaces under a conditional use permit. (Ord. 1233 N.S. § 14, 1995; Ord. 1100 N.S. § 1 (part), 1992)

18.49.190 Enforcement of occupancy limits

The purpose of this section is to provide for enforcement of Section 18.49.040, regarding occupancy limits in recreational vehicle parks.

A. Registration required. Every recreational vehicle park in the city shall at all times keep and maintain therein a register or other permanent document in which are inscribed with ink the name and home street and town address, and vehicle identification number, of each guest renting and/or occupying a space or area therein to indicate the length of stay and the license number of the vehicle. Such register or document shall be signed by the person actually renting the space or area. The agent of the recreational park shall thereupon write opposite such name or names so registered the space or area assigned to such guest. Erasures or alterations on the register or document required by this section shall not be permitted and shall be unlawful. On each page there shall be a notice printed stating that the register is open to city inspection at all times. Such register or document shall be kept in a conspicuous place and shall at all times be open to inspection by any peace officer or city code enforcement officer.

B. Occupancy Violations. Listing on such register or document of a single guest or family for longer than the limits of Section 18.49.040 shall constitute prima facie evidence that a violation has taken place, unless the recreational vehicle park owner can demonstrate to the satisfaction of the city that the violation has not taken place.

C. Supplemental Verification. The city has the authority to allow a designated city staff member to visit the park, record vehicle identification numbers, vehicle license numbers and vehicle model types in spaces. (Ord. 1233 N.S. § 15, 1995)